

Confederation of Netherlands Industry and Employers

Comments on the report (2011) made by the Government of the Netherlands on the measures taken to give effect to the provisions of the **Employments Benefits Convention, 1964 (no. 121)**.

1. VNO-NCW fully supports the report made by the Dutch government.
2. With respect to the questions of the Committee of Experts on the Application of Conventions and Recommendations (CEACR) and the answers of the government of the Netherlands, VNO-NCW would like to make some specific comments:
 - a. VNO-NCW confirms that the reform of the disability legislation that took place in the last decade was a dire necessity. The influx of (partly) disabled people in the old system was sky-high and the outflow low: about one out of seven persons of the working population was considered to be disabled in the old system. A new, sustainable, system was necessary with more emphasis on capacity to work and activation.
 - b. VNO-NCW confirms that the social partners were highly involved in the design of the new legislation and approved the implementation of this design in the law called WIA. The social partners are also highly involved in the monitoring of the (consequences of the) legislation in practice. Recently (11 April 2011) a joint letter of the Labour Foundation was sent to Parliament about the evaluation of WIA, including recommendations to further improve the effectiveness of the new legislation in practice.
 - c. It is our opinion that the reforms in the disability legislation were quite successful: 1) it provides adequate (income) protection in case a worker becomes (partly) disabled; 2) absenteeism has decreased tremendously and 3) and the influx in the disability schemes has declined considerably.
 - d. With respect to the category of workers with disabilities less than 35% (35-), it was jointly agreed that there is a specific responsibility of employers and workers to realize tailor-made working arrangements at company level. An evaluation has shown that there is a clear increase in the return to work of partly disabled workers (35-). Nevertheless, we jointly concluded that we want this development to continue. With that in mind, we jointly advised the government to take some measures to support that.
Furthermore, consultations take place with the government about measures to improve return to work for those people who don't have a contract with an employer.
 - e. VNO-NCW fully agrees with the comments made by the government on the report made by the CEACR on WIA 35-.